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Attorneys for Jeffrey I. Golden, Trustee

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re
JAMIE LYNN GALLIAN,
Debtor.

Case No. 8:21-bk-11710-SC

Chapter 7

**DECLARATION OF ERIC P. ISRAEL IN
SUPPORT OF ORDER DENYING
DEBTOR'S MOTION TO AVOID LIEN
UNDER 11 U.S.C. § 522(f) (DOCKET NO.
422)**

[NO HEARING SET]

I, Eric P. Israel, declare as follows:

1. I am over 18 years of age.

2. I am the principal of a professional corporation which is a partner in Danning, Gill, Israel & Krasnoff, LLP, the duly-employed counsel for Jeffrey I. Golden, the Chapter 7 trustee (the "Trustee") for the estate of Jamie Lynn Gallian (the "Debtor"). The facts stated herein are known to be true of my personal knowledge, except for those stated on information or belief, and I believe those to be true.

3. On August 27, 2024, Jamie Lynn Gallian (the "Debtor") filed and served her "Motion to Avoid Lien Under 11 U.S.C. § 522(f)" ("522(f) Motion"). *Docket no. 422*; see also *docket no. 423* ("Notice of Opportunity to Request a Hearing on Motion").

4. On September 10, 2024, on behalf of the Trustee, I filed the Trustee's "Objection to and Request for Hearing on Debtor's Notice of Motion and Motion to Avoid Lien under 11 U.S.C. § 522(f)" (the "Opposition"). *Docket no. 437*. The Opposition expressly requested a hearing on

1 the Motion pursuant to Local Bankruptcy Rule 9013-1(o)(1)(A)(ii).

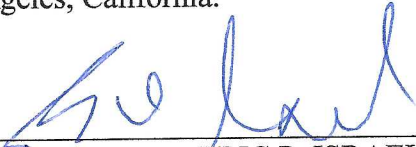
2 5. I note that Local Bankruptcy Rule 9013-1(o)(4) provides as follows:

3 If a timely response and request for hearing is filed and served, within 14 days from
4 the date of service of the response and request for hearing the moving party must
5 schedule and give not less than 14 days notice of a hearing to those responding and to
6 the United States trustee. If movant fails to obtain a hearing date, the court may deny
7 the motion without prejudice, without further notice or hearing.

6 6. I calculate that the Debtor was required to schedule and give notice of a hearing on
7 her 522(f) Motion on or before September 24, 2024. To date, the Debtor has not scheduled or
8 given notice of any hearing. As such, the Trustee respectfully requests that the Court enter an order
9 denying the 522(f) Motion. Contemporaneously herewith, I am uploading an order to deny the
10 522(f) Motion.

11
12 I declare under penalty of perjury under the laws of the United States of America that the
13 facts stated above are true and correct.

14 Executed on October 14, 2024, at Los Angeles, California.

15
16
17 
18 ERIC P. ISRAEL

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify*): DECLARATION OF ERIC P. ISRAEL IN SUPPORT OF ORDER DENYING DEBTOR'S MOTION TO AVOID LIEN UNDER 11 U.S.C. § 522(f) (DOCKET NO. 422) will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) October 14, 2024 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (*date*) October 14, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) October 14, 2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

October 14, 2024

Date

Gloria Ramos

Printed Name

/s/ Gloria Ramos

Signature

ADDITIONAL SERVICE INFORMATION (if needed):

1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")

- **Bradford Barnhardt** bbarnhardt@marshackhays.com, bbarnhardt@ecf.courtdrive.com, alinares@ecf.courtdrive.com
- **Aaron E. De Leest** adeleest@marshackhays.com, adeleest@marshackhays.com, alinares@ecf.courtdrive.com
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- **Mark A Mellor** mail@mellorlawfirm.com, mellormr79158@notify.bestcase.com
- **Valerie Smith** claims@recoverycorp.com
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov

2. SERVED BY U.S. MAIL

Debtor
Jamie Lynn Gallian
16222 Monterey Ln Unit 376
Huntington Beach, CA 92649

The Honorable Scott C. Clarkson
U.S. Bankruptcy Court
Ronald Reagan Federal Building
411 W. Fourth Street, Suite 5130
Santa Ana, CA 92701

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR E-MAIL

By Email

Debtor
Jamie Lynn Gallian
jamiegallian@gmail.com